

Attorney for Debtor
Pia J. North, Esq. #29672
North Law
5913 Harbour Park Drive
Midlothian, VA 23112
Tel: (804) 739-3700
Fax: 739-2550

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE: Joeann L. Johnson, Debtor
10600 Haverford Lane
North Chesterfield, V A 23236
Last 4 of SSN: xxx-xx-2709

Case#: 16-33221
Trustee: Carl M. Bates
Chapter: 13

**MOTION TO SHORTEN NOTICE PERIOD
And EXPEDITE HEARING
for Motion to Extend the Automatic Stay**

COMES NOW the Debtor, Joeann L. Johnson by counsel and moves this Court pursuant to Local Rule 9013-1 (N) to set a hearing on the Debtor's Motion to Extend the Automatic Stay for a hearing as soon as practical and Motion to Shorten the Notice Period in this matter. In support of this Motion the Debtor states as follows:

1. Debtor filed a Chapter 13 bankruptcy on June 29, 2016. The Debtor filed a Motion to Extend the Automatic Stay on July 6, 2016.
2. An emergency exists in that an Order to Extend the Automatic Stay must be entered on or before July 29, 2016. The only date available within this 30-day period is July 13, 2016.

WHEREFORE, Debtor requests that the Court shorten the notice period on the Debtor's Motion to Extend the Automatic Stay to not less than two days prior to the hearing to be set by the Court in this matter, and for any and all other relief just and proper.

Joeann L. Johnson

BY: /s/ Pia J. North
Counsel

Certification

I, Pia J. North certify that I am the attorney for the Debtor and further that I have:

- (1) Carefully examined the matter and concluded that there is a true need for an emergency hearing,
- (2) Not created the emergency through any lack of due diligence, and
- (3) Have made a *bona fide* effort to resolve the matter without a hearing. (There is no way to resolve this issue without an Order from the Court)

/s/ Pia J. North
Pia J. North, Esquire

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Shorten Notice Period and Motion for an Expedited Hearing, Notice of Motion and Notice of Hearing was served by ECF or mailed, by first class mail, this 7th day of July to the Debtor, Chapter 13 Trustee and all creditors and other parties of interest herein.

/s/ Pia J. North
Pia J. North, Esquire

Attorney for Debtor
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Last 4 of SSN: xxx-xx-2709

Case#: 16-33221
Trustee: Carl M. Bates
Chapter: 13

**NOTICE OF MOTION TO SHORTEN NOTICE PERIOD
And EXPEDITE HEARING**

Counsel for Joeann L. Johnson, Debtor has filed papers with the court to Shorten the Notice Period on the Debtor's Motion to Extend the Automatic Stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion then you or your attorney must file with the court, at the address shown below, a written request for a hearing or a written response pursuant to Local Bankruptcy Rule 9013-1 (H). If you mail your request for hearing or response to the court for filing, you must mail it early enough so the court will **receive it at least two (2) days prior to the hearing on the Motion to Shorten Notice Period and Expedite hearing that will be set by the Court in this matter,** at the United States Bankruptcy Court, 701 E. Broad Street, Suite 4000, Richmond, Virginia, Richmond, VA 23219.

You must also mail a copy to:

Pia J. North
North Law
5913 Harbour Park Drive
Midlothian, VA 23112

Chapter 13 Trustee
Carl M. Bates
P.O. Box 1819
Richmond, VA 23219

NOTICE IS HEREBY GIVEN PURSUANT TO LOCAL RULE 9013-1, UNLESS A WRITTEN RESPONSE TO THIS MOTION AND SUPPORTING MEMORANDUM ARE FILED WITH THE CLERK OF COURT AND SERVED ON THE MOVING PARTY NOT LESS THAN 2 (TWO) DAYS PRIOR TO THE HEARING ON THE MOTION TO EXTEND THE AUTOMATIC STAY, THE COURT MAY DEEM ANY OPPOSITION WAIVED AND ISSUE AN ORDER SUSTAINING THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

BY:

Joeann L. Johnson
/s/ Pia J. North
Counsel

Attorney for Debtor
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Case#: 16-33221
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Chapter: 13

NOTICE of HEARING

PLEASE TAKE NOTICE that on **July 13, 2016 @ 10:00 A.M.** or as soon thereafter as is practical, we will appear before the **Honorable Keith L. Phillips in Courtroom 5100** of the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division located at 701 E. Broad Street, Richmond, Virginia on the **Debtor's Motion to Extend the Automatic Stay.**

Joeann L. Johnson

BY: /s/ Pia J. North
Counsel

Attorney for Debtor
Pia J. North, Esq. #29672
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
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Case#: 16-33221
Trustee: Carl M. Bates
Chapter: 13

MOTION TO EXTEND AUTOMATIC STAY

Comes Now, the Debtor, Joeann L. Johnson, by Counsel, Pia J. North, Esq. and states the following in support of this Motion:

1. On, June 29, 2016, the Debtor filed in this Honorable Court a petition for relief under Chapter 13 of the Bankruptcy Code, 11 U.S.C. § 1301 et seq. (the “instant case”). Carl M. Bates was appointed to serve as Chapter 13 trustee in this case (the “Trustee”).
2. The Debtor, Joeann L. Johnson, had one previous bankruptcy pending within a year. Case# 13-31243 filed on March 8, 2013 and dismissed on May 16, 2016 for default in plan payments under the Chapter 13 plan. The dismissal of the prior case has triggered the provision of 11 U.S.C. 362(c)(3). The Debtor also received a discharge in a Chapter 13 case filed more than 12 years ago. Case #04-33415, was filed April 7, 2004 and discharged on or about May 29, 2009. The Debtor’s bankruptcy history does not indicate a lack of good faith.
3. The automatic stay will expire in the instant case on July 29, 2016, unless the Court extends the automatic stay pursuant to 11 U.S.C.362 (c)(3)(A) and (B).
4. The Debtor lost her job during the prior case, fell behind in her payments and was unable to catch up. There has been a positive change in the Debtor’s circumstances. In the instant case, the Debtor has several sources of income to draw on. She receives employment income from Care Family and also works as a self-employed private duty nurse. In addition to that income, she receives Social Security income for her grandson. Recently, the Debtor’s adult daughter has agreed to share expenses by making a regular monthly contribution to the household.

5. The Debtor has filed this case in good faith and has proposed a confirmable plan paying a 100% dividend to her unsecured creditors.

WHEREFORE, for the foregoing reasons, the Debtor respectfully requests that this Court enter an Order extending the automatic stay under 11 U.S.C. § 362 as to all creditors, as to the Debtor and the Debtor's property, and as to the property of the estate for the duration of this matter proceeding, or until such time as the stay is terminated under § 362 (c) (1) or (c) (2), or a motion for relief is granted under § 362(d) and for such other and further relief as to the Court shall be deemed appropriate.

Respectfully submitted:
Joeann L. Johnson

By: /s/ Pia J. North
Counsel

Attorney for Debtor
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

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Case#: 16-33221
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Chapter: 13

NOTICE OF MOTION

Pia J. North, Attorney for the Debtor having filed papers with the court: Motion to Extend the Automatic Stay.

Your rights may be affected. You should read these papers carefully and discuss **them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the objection, or if you want the court to consider your views on the motion, then **on or before two days prior to the hearing on July 13, 2016** you or your attorney must: File with the court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Room 4000
Richmond, VA 23219

Office of the U.S. Trustee
701 E. Broad Street, Room 4304
Richmond, Virginia 23219

You must also mail a copy to:

Pia J. North
North Law
5913 Harbour Park Drive
Midlothian, VA 23112

Carl M. Bates
P.O. Box 1819
Richmond, VA 23218-1819

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Joeann L. Johnson

By: /s/ Pia J. North
Counsel

Attorney for [1]
Pia J. North, Esq. #29672
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Midlothian, VA 23112
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**United States Bankruptcy Court
Eastern District of Virginia
Richmond Division**

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Case#: 16-33221
Trustee: Carl M. Bates
Chapter: 13

NOTICE

PLEASE TAKE NOTICE that on **July 13, 2016** or as soon thereafter as is practical, we will appear before the Honorable Keith L. Phillips United States Bankruptcy Court, Eastern District of Virginia, Richmond Division, **701 E. Broad Street, Room 5100**, Richmond, VA 23219, Richmond, VA 23219 on the Debtor's **Motion to Extend the Automatic Stay**.

Joeann L. Johnson

BY: /s/ Pia J. North
Counsel

Certificate of Service

I hereby certify that I have on July 6, 2016, I served by transmitting a true copy of the foregoing Motion to Extend the Automatic Stay, Notice of Motion and Notice of Hearing electronically through the Court's CM/ECF system or by first class mail, postage pre-paid to: Joeann L. Johnson, the Debtor, the Trustee, the United States trustee and to all creditors and parties in interest on the attached mailing matrix

By: /s/ Pia J. North
Counsel

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AFFIDAVIT

I, Joeann L. Johnson declare under penalty of perjury that the information provided in the Motion to Extend the Automatic Stay is true and correct.

1. I was previously in a Chapter 13 bankruptcy filed March 2013 and dismissed in May 2016. That case was dismissed because I lost my job and was unable to make the chapter 13 plan payments each month.
2. Since the prior bankruptcy my financial situation has improved. I am employed with a private duty nursing agency.
3. My income is stable and I now have several sources of income which include employment at Care Family, income from private duty nursing, grandson's social security and rental income from my daughter.
4. I am paying my creditors 100%.
5. I believe that I can make regular monthly payments on my chapter 13 plan.

Date: June 29, 2016

/s/ Joeann L. Johnson

Joeann L. Johnson

Label Matrix for local noticing
0422-3
Case 16-33221-KLP
Eastern District of Virginia
Richmond
Wed Jul 6 17:24:01 EDT 2016

701 East Broad Street
Richmond, VA 23219-1888

Afni
1310 Martin Luther King Dr
Bloomington, IL 61701-1465

Branch Bank & Trust
P O Box 2027
Greenville, SC 29602-2027

CJW Center
P.O. Box 740760
Cincinnati, OH 45274-0760

Commonwealth of VA-Tax
P.O. Box 2156
Richmond, VA 23218-2156

Convergent Outsource
800 Sw 39th Street
Renton, WA 98057-4975

(p)DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
GREENWOOD VILLAGE CO 80155-6550

Dept Of Ed/Nelnet
3015 Parker Rd
Aurora, CO 80014-2904

Dept Of Ed/Nelnet
Attn: Claims
Po Box 82505
Lincoln, NE 68501-2505

Diversified Consultant
Dci
Po Box 551268
Jacksonville, FL 32255-1268

(p)FOCUSED RECOVERY SOLUTIONS
9701 METROPOLITAN COURT
STE B
RICHMOND VA 23236-3690

Glasser & Glasser, P.L.C.
Collections Dept.
PO Box 3400
Norfolk, VA 23514-3400

Interior Air
P.O, Box 746
Mechanicsville, VA 23111-0746

Internal Revenue Service
Centralized Insolvency Unit
P O Box 7346
Philadelphia, PA 19101-7346

Kohls/Capone
Po Box 3115
Milwaukee, WI 53201-3115

New Generations Fede
1700 Robin Hood Road
Richmond, VA 23220-1012

Nicholas Finance Corp.
2454 McMullen Booth Road
Clearwater, FL 33759-1343

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Receivable Management Inc
7206 Hull Rd
Ste 211
Richmond, VA 23235

Receivable Management Inc
Pob 17305
Richmond, VA 23226-7305

Regional Acc
5425 Robin Road
Norfolk, VA 23513-2441

(p)SPRINT NEXTEL CORRESPONDENCE
ATTN BANKRUPTCY DEPT
PO BOX 7949
OVERLAND PARK KS 66207-0949

St Francis Medical Center
P.O. Box 404893
Atlanta, GA 30384-4893

St Loan Fund
C/o Acs
U, NY 13501

(p)C O AMERICAN INFOSOURCE LP
4515 N SANTA FE AVE
OKLAHOMA CITY OK 73118-7901

Verizon
500 Technology Dr
Suite 500
Weldon Spring, MO 63304-2225

Verizon
500 Technology Dr
Weldon Spring, MO 63304-2225

Verizon
National Recovery
Minneapolis, MN 55426

Carl M. Bates
P. O. Box 1819
Richmond, VA 23218-1819

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

DIRECTV P.O. Box 11732 Newark, NJ 07101	Focus Recry 9701 Metropolitan Suite B Richmond, VA 23236	Portfolio Recovery Associates PO Box 41067 Norfolk, VA 23541
Sprint Attention: Bankruptcy PO Box 7949 Overland Park, KS 66207	Tmobile USA PO Box 742596 Cincinnati, OH 45274	

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Johnston Willis Hospital	End of Label Matrix	
	Mailable recipients	31
	Bypassed recipients	1
	Total	32